

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
(NORTHERN DIVISION)

In re: Keith Sean Campbell,) Case No. 3:13-bk-33966
)
Debtor.) Chapter 7

**MOTION OF TRUSTEE FOR PUBLIC SALE OF BANKRUPTCY ESTATE PROPERTY
FREE AND CLEAR OF LIENS & NOTICE OF SALE**

NOTICE OF HEARING

Notice is hereby given that:

A hearing will be held on this matter on April 17, 2014, at 9:00 a.m. in Courtroom 1-C, at 800 Market Street, Knoxville, Tennessee 37902.

If you do not want the court to grant the relief requested, you or your attorney must attend this hearing. If you do not attend the hearing, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Comes the Trustee, W. Grey Steed, through counsel, pursuant to 11 U.S.C. § 363 and Federal Rules of Bankruptcy Procedure 2002 and 6004, and moves the Court for an Order authorizing the Trustee to sell at public auction the debtor's personal property described herein below free and clear of liens, with any applicable liens attaching to the proceeds of sale. In support of his Motion, the Trustee would show unto the Court as follows:

1. The debtor, Keith Sean Campbell, filed a voluntary Chapter 7 case on November 5, 2013.

W. Grey Steed was appointed Chapter 7 Trustee and currently serves in that capacity.

2. The debtor has an ownership interest in one (1) 2006 Crownline boat, VIN JTC6442EB606 with Hustler trailer, VIN 4DMB5191370137053 (jointly, the "Boat & Trailer"), the value of which debtor has listed at \$15,000. The Boat & Trailer are subject to a perfected, unavoidable priority lien in favor of First Tennessee Bank National Association ("FTB") in the amount of approximately \$3,600. The Trustee proposes the sale pursuant to 11 U.S.C. § 363(f)(3) as the Trustee expects for the sales proceeds on the Boat & Trailer to exceed \$3,600 such that FTB's lien will be paid in full and to the extent allowed by 11 U.S.C. § 506 out of the proceeds of the sale of the Boat & Trailer.

3. The debtor also has an ownership interest in one (1) 2008 Ducati motorcycle, VIN ZDM1XBGV28B003418 (the "Motorcycle"), the value of which debtor has listed at \$6,000. The Trustee has not been informed of and is unaware of any liens on the Motorcycle.

4. The Trustee proposes to sell the above-described Boat & Trailer and Motorcycle AS-IS with no guarantee of title at public auction on Saturday, April 19, 2014, at 12:00 p.m. (noon), at Powell Auction and Realty, 6729 Pleasant Ridge Road, Knoxville, Tennessee 37921.

5. The Trustee proposes that Powell Auction and Realty conduct the auction and that the auctioneer be paid a commission in the amount of a 10% buyers' premium.

6. The Trustee proposes to sell the Boat & Trailer with a reserve price of \$3,600, to ensure that FTB's lien is paid in full.

7. The Trustee further proposes to sell the Motorcycle without reserve.

8. The Trustee is further informed and believes that this sale is in the best interest of the estate and of the creditors of the estate.

9. The Trustee requests that the \$176 filing fee be paid from the sale proceeds.

10. The Trustee requests that the 14 day stay period of Rule 6004(h) of the Federal Rules of Bankruptcy Procedure be waived for cause to allow the sale to take place on April 19, 2014.

WHEREFORE, the Trustee respectfully requests that the Court grant his Motion and approve the sale as set forth herein.

Dated: 3/17/2014

/s/ Kyle A. Baisley
Kyle A. Baisley, TN BPR#027080
704 Forest Heights Rd.
Knoxville, Tennessee 37919
865-719-7071

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing will be served electronically on the entities specified in the Notice of Electronic Filing to be issued by the electronic case filing system. I further certify that the foregoing paper was served by electronic noticing, email, hand delivery or by United States mail with sufficient postage thereon to the following persons:

Beth Roberts Derrick
Acting Assistant United States Trustee
Office of the United States Trustee
31 East 11th Street, 4th Floor
Chattanooga, TN 37402
Beth.r.derrick@usdoj.gov

William E. Maddox Jr.
William E. Maddox, Jr., LLC
P.O. Box 31287
Knoxville, TN 37930-1287
wem@billmaddoxlaw.com

Gordon D. Foster
Winchester, Sellers, Foster & Steele, P.C.
P.O. Box 2428
Knoxville, TN 37901-2428
gfonster@wsfs-law.com

I also certify that a true and exact copy of the foregoing will be served upon the persons listed below by United States mail with sufficient postage thereon:

(All creditors and parties of interest set out in the Keith Sean Campbell mailing matrix attached)

Date: 3/17/2014

/s/ Kyle A. Baisley
KYLE A. BAISLEY

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
(NORTHERN DIVISION)

In re: Keith Sean Campbell,) Case No. 3:13-bk-33966
)
Debtor.) Chapter 7

**ORDER APPROVING PUBLIC SALE OF BANKRUPTCY ESTATE PROPERTY
FREE AND CLEAR OF LIENS**

On or about March 17, 2014, Chapter 7 Trustee, W. Grey Steed, filed a Motion for Public Sale of Bankruptcy Estate Property Free and Clear of Liens and Notice of Sale pursuant to 11 U.S.C. § 363 and Federal Rules of Bankruptcy Procedures 2002 and 6004. In the Motion, the Trustee proposed to sell the debtor's 2006 Crownline boat, VIN JTC6442EB606 with Hustler trailer, VIN 4DMB5191370137053 (jointly, the "Boat & Trailer") and 2008 Ducati motorcycle, VIN ZDM1XBGV28B003418 (the "Motorcycle"). The Motion was served on all creditors and parties in interest and they were provided an opportunity to file written objections. There being no objections filed to the Trustee's Motion, and it otherwise appearing to the Court that the Motion is proper, it is therefore:

ORDERED that Trustee's public sale of the Boat & Trailer and Motorcycle on April 19, 2014, at 12:00 p.m. (noon) by Powell Auction Company at Powell Auction and Realty, 6729 Pleasant Ridge Road, Knoxville, Tennessee 37921 is hereby **APPROVED**. It is further **ORDERED** that said sale shall be free and clear of liens with all applicable liens attaching to proceeds of sale. It is further **ORDERED** that

First Tennessee Bank National Association's lien on the Boat & Trailer will be paid out of the sale proceeds on the Boat & Trailer to fullest extent allowed by 11 U.S.C. § 506. It is further **ORDRED** that Powell Auction & Realty be paid a commission in the amount of a 10% buyers' premium. It is further **ORDERED** that the \$176 filing fee may be paid by the Trustee from the proceeds of the sale. It is further **ORDRED** that the 14 day stay period of Bankruptcy Rule 6004(h) is waived for cause and this Order shall be effective immediately upon entry.

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Approved for Entry:

/s/ Kyle A. Baisley
Kyle A. Baisley, TN BPR #027080
704 Forest Heights Rd.
Knoxville, TN 37919
kyle.baisley@gmail.com
865-719-7071
Attorney for W. Grey Steed, Trustee

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing will be served electronically on the entities specified in the Notice of Electronic Filing to be issued by the electronic case filing system. I further certify that the foregoing paper was served by electronic noticing, email, hand delivery or by United States mail with sufficient postage thereon to the following persons:

Beth Roberts Derrick
Acting Assistant United States Trustee
Office of the United States Trustee
31 East 11th Street, 4th Floor
Chattanooga, TN 37402
Beth.r.derrick@usdoj.gov

William E. Maddox Jr.
William E. Maddox, Jr., LLC
P.O. Box 31287
Knoxville, TN 37930-1287
wem@billmaddoxlaw.com

Gordon D. Foster
Winchester, Sellers, Foster & Steele, P.C.
P.O. Box 2428
Knoxville, TN 37901-2428
gfonster@wsfs-law.com

I also certify that a true and exact copy of the foregoing will be served upon the persons listed below by United States mail with sufficient postage thereon:

(All creditors and parties of interest set out in the Keith Sean Campbell mailing matrix attached)

Date: 3/17/2014

/s/ Kyle A. Baisley
KYLE A. BAISLEY

Label Matrix for local noticing

0649-3

Case 3:13-bk-33966

Eastern District of Tennessee

Knoxville

Mon Mar 17 14:43:34 EDT 2014

Advanta

PO Box 9217

Old Bethpage, NY 11804-9017

First Document National Association

3

c/o Gordon D. Foster

United States Bankruptcy Court

P.O. Box 2428

Howard H. Baker Jr. U.S. Courthouse

Knoxville, TN 37901-2428

Suite 330, 800 Market Street

Knoxville, TN 37902-2343

Advanta Bank Corporation

American Express

Resurgent Capital Services

PO Box 981537

PO Box 10368

El Paso, TX 79998-1537

Greenville, SC 29603-0368

American Express Bank FSB

Becket and Lee LLP

POB 3001

Malvern, PA 19355-0701

American Express Centurion Bank

(p) BANK OF AMERICA

c/o Becket and Lee LLP

PO BOX 982238

POB 3001

EL PASO TX 79998-2238

Malvern PA 19355-0701

Capital One

PO Box 30281

Salt Lake City, UT 84130-0281

Capital One Bank (USA), N.A.

Capital One Bank (USA), N.A.

PO Box 71083

by American InfoSource LP as agent

Charlotte, NC 28272-1083

PO Box 71083

Charlotte, NC 28272-1083

Chase

PO Box 15298

Wilmington, DE 19850-5298

(p) DISCOVER FINANCIAL SERVICES LLC

Discover Bank

PO BOX 3025

DB Servicing Corporation

NEW ALBANY OH 43054-3025

PO Box 3025

New Albany, OH 43054-3025

First Tennessee Bank

PO Box 15003

Knoxville, TN 37901-5003

Internal Revenue Service

Internal Revenue Service

Centralized Insolvency Operations

IRS Insolvency

P.O. Box 7346

801 Broadway, MDP 146

Philadelphia, PA 19101-7346

Nashville, TN 37203-3811

Kim Campbell

3849 Woodhill Place

Knoxville, TN 37919-6656

Sallie Mae

Sallie Mae

PO Box 9500

c/o Sallie Mae Inc.

Wilkes Barre, PA 18773-9500

220 Lasley Ave

Wilkes-Barre, PA 18706-1496

SunTrust Bank

Attn. Support Services

P.O. Box 85092

Richmond, VA 23286-0001

Suntrust

U.S. Dept. of Justice

PO Box 305053

Tax Division, CTS, Eastern Reg.

Nashville, TN 37230-5053

P.O. Box 227

Ben Franklin Station

Washington, D.C 20044-0227

United States Trustee

800 Market Street, Suite 114

Howard H. Baker Jr. U.S. Courthouse

Knoxville, TN 37902-2303

Keith Sean Campbell

W. Grey Steed

1136 Paxton Drive

11167 Kingston Pike, Suite 4

Knoxville, TN 37918-8013

Knoxville, TN 37934-2857

William E. Maddox Jr.

William E. Maddox, Jr., LLC

P. O. Box 31287

Knoxville, TN 37930-1287

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Bank of America
PO Box 982235
El Paso, TX 79998

Discover
PO Box 30943
Salt Lake City, UT 84130

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d) First Tennessee Bank National Association
c/o Gordon D. Foster
P.O. Box 2428
Knoxville, TN 37901-2428

(d) Sallie Mae
c/o Sallie Mae Inc.
220 Lasley Ave.
Wilkes-Barre, PA 18706-1496

(u) James Kenneth Phillips
Powell Auction and Realty

End of Label Matrix	
Mailable recipients	27
Bypassed recipients	3
Total	30